

### REMARKS

Claims 1-56, 58-64, 66-72, 74-80, 82-88 and 90-132 are pending, with claims 1, 2, 18, 19 and 58-64 being independent. Claims 61 and 62 have been amended; claims 57, 65, 73, 81 and 89 have been canceled; and claims 1-56, 59, 60, 63, 64, 67, 68, 71, 72, 75, 76, 79, 80, 83, 84, 87, 88, 91, 92, 95, 96, 99, 100, 103, 104, 107, 108, 111, 112, 115, 116, 119, 120, 123, 124, 127, 128, 131 and 132 have been withdrawn from consideration, leaving independent claims 58, 61 and 62 under consideration along with their dependent claims 66, 69, 70, 74, 77, 78, 82, 85, 86, 90, 93, 94, 97, 98, 101, 102, 105, 106, 109, 110, 113, 114, 117, 118, 121, 122, 125, 126, 129 and 130.

Applicant acknowledges with appreciation the Examiner's indication that claims 121, 122, 125 and 126 are directed to allowable subject matter.

Independent claims 58, 61 and 62 have been rejected, along with their dependent claims 82, 85, 86, 90, 93 and 94, as being anticipated by Ozaki, U.S. Patent No. 5,028,976.

With respect to independent claims 58 and 62, and their dependent claims, applicant requests reconsideration and withdrawal of this rejection because Ozaki does not describe or suggest a Bi-CMOS circuit as recited in each of claims 58 and 62. As discussed in the application, a Bi-CMOS circuit includes a combination of a CMOS circuit and a bipolar transistor. See the application at page 34, lines 17-20. While the action indicates that Ozaki describes a bipolar transistor 2, the transistor 2 is a N-channel MOS transistor. See Ozaki at col. 3, lines 37-38. As such, Ozaki does not describe or suggest a Bi-CMOS circuit as recited in claims 58 and 62. For at least this reason, the rejection should be withdrawn.

As to claim 61 and its dependent claims, applicant requests reconsideration and withdrawal of the rejection because Ozaki does not describe or suggest a channel forming region that includes carrier moving regions comprising a semiconductor material and impurity regions comprising the semiconductor material and an impurity element. Instead, Ozaki describes a channel forming region that includes a single nucleation portion 17 that is made of a dissimilar material, and, accordingly, does not describe or suggest the multiple regions recited in the claim. Moreover, Ozaki nowhere indicates that the nucleation portion includes both a semiconductor material and an impurity element. For at least these reasons, the rejection should be withdrawn.

Claims 113, 114, 117, 118, 129 and 130 have been rejected as being obvious over Ozaki. Applicant requests reconsideration and withdrawal of this rejection for the reasons noted above with respect to the independent claims.

Claims 66, 69, 70, 74, 77 and 78 have been rejected as being obvious over Ozaki in view of Mei, U.S. Patent No. 5,548,147. Applicant requests reconsideration and withdrawal of this rejection because Mei does not remedy the failure of Ozaki to describe or suggest the subject matter of the independent claims.

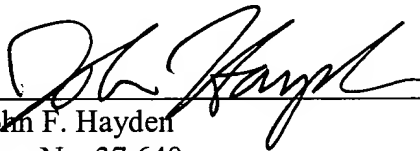
Claims 97, 98, 101, 102, 105, 106, 109 and 110 have been rejected as being obvious over Ozaki in view of Shiue, U.S. Patent No. 5,781,445. Applicant requests reconsideration and withdrawal of this rejection because Shiue does not remedy the failure of Ozaki to describe or suggest the subject matter of the independent claims.

Applicant submits that all claims are in condition for allowance.

Enclosed is a \$420 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: August 2, 2004



John F. Hayden  
Reg. No. 37,640

**Customer No. 26171**  
Fish & Richardson P.C.  
1425 K Street, N.W., 11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331